

# HOUSE . . . . . No. 4071

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a part of House, No. 3898, a Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4071). May 7, 2012.

## The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to make supplemental appropriations for fiscal year 2012 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. To provide for supplementing certain items in the general appropriation act and  
2 other appropriation acts for fiscal year 2012, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designated otherwise in this act or in  
4 those appropriation acts, for the several purposes and subject to the conditions specified in this  
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public

funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

JUDICIARY

Committee for Public Counsel Services

0321-1510	.....	\$27,475,505
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EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Transitional Assistance

4405-2000	. ....	\$11,037,557
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EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Department of Career Services

7002-0012	. ....	\$6,000,000
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EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Housing and Community Development

7004-0101	. ....	\$18,700,636
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7004-0108	. ....	\$8,499,097
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SECTION 3. The comptroller shall establish a special account, to be known as the APG payment account, for the purpose of paying the costs of settling providers' claims before the MassHealth

board of hearings and the superior court challenging MassHealth's former Ambulatory Payment Group payment system for acute hospital outpatient services, pursuant to a notice of agreement between the providers and MassHealth dated January 26, 2012. Notwithstanding the last paragraph of section 2H of chapter 29 of the General Laws, the proceeds of one-time settlements or judgments that would otherwise be transferred to the Commonwealth Stabilization Fund shall instead be deposited in the APG payment account, until the comptroller determines that the balance in that account is sufficient to pay those costs. The comptroller shall pay those costs from this account without further appropriation.

SECTION 4. Section 3 of chapter 176Q of the General Laws is hereby amended by inserting after subsection (t), the following subsection:-

(u) notwithstanding the foregoing, to perform all the duties and responsibilities required of an American Health Benefit Exchange, as that term is defined by the Patient Protection and Affordable Care Act, Pub. L. 111-148, as may be amended from time to time, including without limitation the certification of qualified health plans for sale in the Exchange, the determination of eligibility of individuals for shopping, receiving federal premium tax credits, and qualifying for reduced cost sharing through the Exchange, as provided by federal law, and the certification of individuals as exempt from the requirements of section 36B of the Internal Revenue Code of 1986.